



*United States Attorney  
Eastern District of New York*

CP  
F.#2010R00420

*271 Cadman Plaza East  
Brooklyn, New York 11201*

April 9, 2012

BY HAND DELIVERY

Susan R. Necheles, Esq.  
500 Fifth Avenue  
29th Floor  
New York, NY 10110

Russell M. Gioiella, Esq.  
140 Broadway  
38th Floor  
New York, New York 10005

Re: United States v. Pedro Espada Jr., et al.  
Criminal Docket No. 10-985 (FB)

Dear Counsel:

We write, again, to request reciprocal discovery. We ask that you provide us with any exhibits you intend to introduce during the rest of the government's case and on any defense case, as well as prior statements of witnesses you may call on a defense case.

In your joint letter dated February 22, 2012, you promised the Court that the defendants would "meet their discovery obligations under Fed.R.Crim.P. 16 and provide 3500 material for defense witnesses, if any, *at least two weeks before they testify.*" (Feb. 22, 2012 Let. at 6)(emphasis added). The defense case will begin less than two weeks from now. Yet, to date we have not received any Rule 16 or § 3500/Fed.R.Crim.P. 26.2 material from you. Moreover, you repeatedly have stated in court that you intend to introduce documents recovered from Soundview during the search, but have refused to identify them.

Please let us know today if you will provide the exhibits and statements, so that we can make a motion with the Court if needed.

Very truly yours,

LORETTA E. LYNCH  
United States Attorney

By: /s/  
Carolyn Pokorny  
Assistant U.S. Attorney  
(718) 254-6291

Clerk of the Court (FB)